

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

ANGELA UPCHURCH *and* ROBERT
UPCHURCH,

Plaintiffs,

v.

JADEN WOODS HORN *and* TENNESSEE
VALLEY AUTHORITY,

Defendants.

Case No. 3:22-cv-431

Judge Curtis Collier
Magistrate Judge Debra C. Poplin

**PLAINTIFFS' RESPONSE TO ORDER TO SHOW CAUSE AND
REQUEST TO EXTEND TIME TO MOVE FOR ENTRY OF DEFAULT**

COME NOW the Plaintiffs, Angela Upchurch and Robert Upchurch, by and through counsel, pursuant to Rule 6(b) of the *Federal Rules of Civil Procedure*, and in response to the Order entered by This Honorable Court on February 28, 2023, would show the following for cause:

(1) On February 22, 2023, counsel for the Plaintiffs had a telephone conversation with attorney Sam Jones, an associate attorney at Adams and Reese, LLP in Nashville, Tennessee. In that conversation, attorney Jones requested an additional thirty (30) to file a responsive pleading in order to confirm that no conflicts would prevent him or his firm from entering an appearance in this cause of action.

(2) In that same conversation, counsel for the Plaintiffs agreed to attorney Jones' request to allow a thirty (30) extension of time for the Defendants to file a responsive pleading.

(3) On February 22, 2023, attorney Jones sent an email to Plaintiffs' counsel memorializing his request for an additional thirty (30) days to file a responsive pleading. Counsel for the Plaintiffs responded to said email on the same day and confirmed his agreement to the requested thirty (30)

day extension. Attorney Jones' email and the response of Plaintiffs' counsel thereto are attached hereto as Exhibit 1 to Plaintiffs' Response to Order to Show Cause.

Based upon the foregoing, the Plaintiffs request an extension of time to move for entry of default against the Defendants pursuant to 55(a) of the *Federal Rules of Civil Procedure* until Friday, March 24, 2023.

Respectfully submitted,

/s/ Nathan Evans

Nathan Evans (Tennessee BPR Number 024412)

Attorney for Plaintiffs

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